

PEOPLE'S ORDINANCE NO. 2

AN ORDINANCE IN REFERENCE TO THE ACCEPTANCE BY THE CITY OF GRAND JUNCTION, COLORADO, OF CERTAIN REAL ESTATE KNOWN AS PALMER PARK.

WHEREAS, Wm. J. Palmer did, on November 20, 1908, convey by deed to Horace T. Delong, Edwin Price, Charles E. Cherrington, S. B. Hutchinson, Frank E. Dean and Wm. Buthorn, as Trustees, the following described real estate situated, lying and being in the County of Mesa, and State of Colorado, to-wit:

The W1/2 of the NW 1/4 of the NW 1/4 of Sec. 26, and the west 1/2 of the E1/2 of the NW 1/4 of the NW 1/4 of Sec. 26 containing 30 acres, more or less; also Lot No. 1 (a part of the NE 1/4 of the NE 1/4 of Sec. 27) containing 26.36 acres, more or less, all in Twp. 1 S.R. 1 W, Mesa County, Colorado, save and except the right of way of the D. & R.G.R.R. Company; and

WHEREAS, the said real estate was conveyed to the said trustees, their survivors and successors, to be held, maintained, carried on and forever kept open as a park solely for the use, the outdoor recreation and enjoyment of the inhabitants of Grand Junction, subject however, to the following conditions and reservations:

1. In case the property herein conveyed, or the buildings thereon, shall ever be taxed, then and in that case, and upon a decision of the Supreme Court of the State of Colorado, sustaining such attempt to tax it, the land herein conveyed shall immediately revert to the said Wm. J. Palmer and his heirs.

2. In case intoxicating liquors of any kind whatsoever shall be manufactured, sold, dispensed or otherwise disposed of, in or upon the premises, hereby granted or any part thereof, then and in that case the land conveyed shall immediately revert to the said Wm. J. Palmer or his heirs.

3. That there shall be expended annually, for a period of ten years, beginning with the date of said deed from Wm. J. Palmer, to the said trustees, of at least the sum of One Thousand (\$1,000) Dollars, for the purpose of improving and beautifying the said real estate, and

WHEREAS, the said trustees are ready and willing to convey to the said City of Grand Junction the said described real estate whenever the said Council of the City of Grand Junction and the qualified electors thereof, by ordinance legally passed and adopted, agreed to accept said real estate under the terms and

conditions of said deed, from the said Wm. J. Palmer, to the said Trustees; and

WHEREAS, in compliance with the terms of said deed from Wm. J. Palmer, to the said Trustees, there has been expended annually since the date thereof the sum of more than One Thousand (\$1000) Dollars on said real estate, for the purpose of improving and beautifying the same as a public park and pleasure ground;

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GRAND JUNCTION, COLORADO, AND BE IT ORDAINED BY THE QUALIFIED ELECTORS OF THE SAID CITY OF GRAND JUNCTION, COLORADO:

SECTION 1. That the said City does hereby accept the said real estate upon the terms and conditions set out in the said deed from the said Wm. J. Palmer to the said Trustees, and does hereby agree to perform all the obligations and conditions required of the said City by the said deed.

SECTION 2. The said described real estate shall be known as Palmer Park.

WE HEREBY CERTIFY that the above and foregoing ordinance was submitted to the City Council of the City of Grand Junction, Colorado, by a petition signed by five percentum or more of the qualified electors of the said City, voting for governor of the State of Colorado, in November, 1910 election, and was by the City Council of said City, at a regular meeting held on the 13th day of October, 1911, ordered submitted to a vote of the qualified electors of said City, at the general municipal election to be held on November 7, 1911 for their adoption or rejection.

Pursuant thereto, said ordinance was duly and regularly published on October 27, 1911, in The Daily News of said City, a daily newspaper of general circulation, printed and published in said City; and in further pursuance thereof, and in accordance with the law, in such case made and provided, said ordinance was duly and regularly submitted to a vote of the said qualified electors, at the said general election, held on the 7th day of November 1911, at which election, a majority of the votes of said electors, voting on said question, were cast in favor of the adoption of said ordinance, and said ordinance was thereby duly and regularly adopted.

Thereafter at a regularly adjourned meeting of the City Council of the City of Grand Junction, held November 10, 1911, pursuant to the charter of said city, said ordinance was ordered recorded and numbered "People's Ordinance No. 2" and was ordered published in the said The Daily News of said City.

IN WITNESS WHEREOF, we have hereunto set our hands and affixed the official seal of said City, this 10th day of November, 1911.

/s/ Thos. M. Todd
Mayor

Attest:

/s/ Charles K. Holmburg
City Clerk

Published November 14, 1911.